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13 Attorneys for Defendant

SPRINT NEXTEL CORPORATION

14 [Additional counsel listed after
15 signature pages]

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19

20 RUDOLPH THOMAS, Individually
21 and on behalf of all others similarly
22 situated,

23 Plaintiff,

24 v.

25 SPRINT NEXTEL CORPORATION
and SPRINT SOLUTIONS, INC., d/b/a
26 SPRINT, SPRINT PCS and/or
NEXTEL and DOES 1 - 50,

27 Defendants.

Case No. CV 08 5119 TEH

Honorable Thelton E. Henderson

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO DISMISS
SPRINT NEXTEL CORPORATION**

[Fed. R. Civ. P. 41(a)]

[Complaint Filed: November 10, 2008]

1 Whereas plaintiff Rudolph Thomas ("**Thomas**") has filed a complaint
2 against defendant Sprint Nextel Corporation ("**SNC**");
3

4 Whereas SNC has informed Thomas that there is no personal
5 jurisdiction over SNC in California and provided Thomas with evidence of that fact
6 in the form of a declaration, attached hereto as EXHIBIT A;
7

8 IT IS HEREBY STIPULATED AND AGREED by and between Thomas, on
9 the one hand, and SNC, on the other hand, through their respective counsel of record, that
10 the above-captioned action be dismissed without prejudice pursuant to Fed. R. Civ. P.
11 41(a)(2) as to SNC.
12

13 Dated: February 5, 2009

14 HAGENS, BERMAN SOBOL SHAPIRO LLP
15

16 By

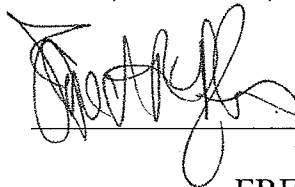


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18 JEFF D. FRIEDMAN
19 Attorneys for Plaintiff
RUDOLPH THOMAS

20 Dated: February 5, 2009

21 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
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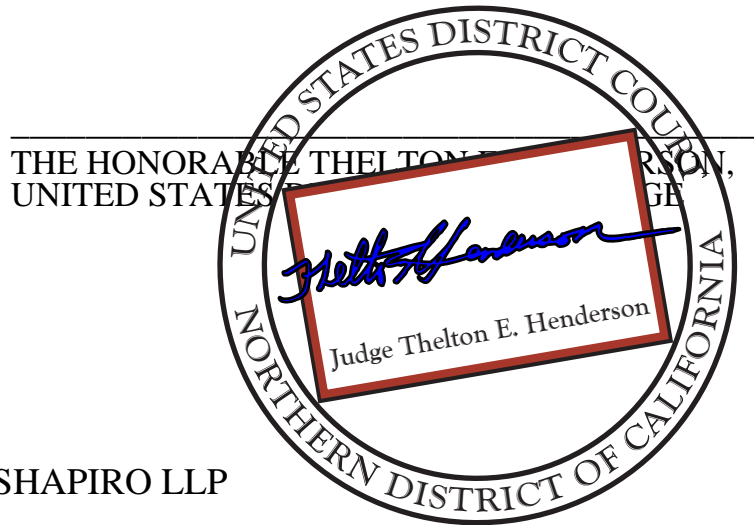
23 By



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25 FRED R. PUGLISI
26 Attorneys for Defendant
27 SPRINT SOLUTIONS, INC.
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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated: February 6, 2009



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